

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION, *et al.*,

Defendants.

Case No. 25-cv-2990 (ER)(BCM)

AFFIRMATION OF STEPHEN C. THOMPSON

STEPHEN C. THOMPSON, an attorney duly admitted to practice before this Court, does hereby state the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am Special Counsel in the Office of the New York State Attorney General, Letitia James, who appears on behalf of the State of New York in this action.

2. I submit this affirmation in further support of Plaintiffs' motion for immediate injunctive relief pursuant to Rule 65 of the Federal Rules of Civil Procedure. The facts set forth herein are based upon my personal knowledge and/or a review of the files in my possession.

3. Attached as Exhibit A to this affirmation is a true and correct copy of a May 20, 2025, email chain between Bekka Meyer in the U.S. Department of Education Office of Elementary and Secondary Education and Yiping Hu in the California Department of Education.

4. Attached as Exhibit B to this affirmation is a true and correct copy of a May 22, 2025, email chain between Erin Kelts in the U.S. Department of Education Office of Elementary and Secondary Education and Sean Fahnhorst in the Minnesota Department of Education.

5. Attached as Exhibit C to this affirmation is a true and correct copy of a May 14, 2025, email chain between Danielle Smith in the U.S. Department of Education Office of Elementary and Secondary Education and Nikki Stewart in the D.C. Office of the State Superintendent of Education.

Dated: June 2, 2025
New York, NY

/s/ Stephen Thompson
Stephen C. Thompson
Special Counsel